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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,789	02/17/2006	Olav Ytreland	PRO-018	6385
28661 7590 12/17/2007 SIERRA PATENT GROUP, LTD. 1663 Hwy 395, Suite 201 Minden, NV 89423			EXAMINER ESTRADA, ANGEL R	
			ART UNIT 2831	PAPER NUMBER
			MAIL DATE 12/17/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/568,789	YTRELAND ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Angel R. Estrada	2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                                |                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                           | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/17/06</u> | 6) <input type="checkbox"/> Other: _____                                                |

## DETAILED ACTION

### *Information Disclosure Statement*

1. The information disclosure statement filed on February 17, 2006 has been considered by the Examiner.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 4 is rejected under 35 U.S.C. 102(e) as being anticipated by DeWall (US 6,452,097).

Regarding claim 4, Dewall discloses a cover (13) for a junction box (11), comprising a substantially plane surface having an area that in the main corresponds to the opening in the body of the junction box (11), and a part projecting from the plane and which is adapted for external or internal engagement with the junction box (see figure 4), in which the cover (35) is provided one or more magnets (34), wherein the magnet one or more magnets (34) are placed so as to indicate the center for drilled holes that are required to gain access to the junction box (see figure 1), characterized in that the cover (35) includes weak zones arranged around each magnet (34), allowing

each magnet and the part of the cover (35) to which it is attached, to be pressed into the cavity of the junction box (see figure 2).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeWall (US 6,452,097) in view of Newman (US 6,460,239).

Regarding claim 1, Dewall discloses a method of installing a junction box (11) for electrical conductors and any other cables in a concealed installation in a building component (see figure 1), the method comprising the steps of: a) attaching the junction box (11) to the building structure b) drawing conduits and fixing said conduits (not show)

to the junction box (11) for conduits, c) covering the building component, junction box and conduits with covering building elements (10), d) locating the junction boxes (11), and e) drilling an opening for access to the junction box (11), characterized in that the junction box (11) used has a cover (13) with one or more magnets (12) for indicating the centre of drilling for opening up access to the junction box (11); but Dewall lacks the locating step including the application of a powder which is attracted by magnetism, on the surface of the covering building element, causing the powder to form into spots over each magnet, and where the centre of the spots indicates the drilling center for step e). Newman teaches a method of locating a magnet (see figure 1) including the steps of the application of a powder which is attracted by magnetism, on the surface of the covering building element, causing the powder to form into spots over the magnet, and where the centre of the spots indicates the drilling centre center (see column 4 lines 1-9). It would have been obvious to one of ordinary skills in the art at the time the invention was made to provide to Dewall's a locating step including the application of a powder which is attracted by magnetism, on the surface of the covering building element, causing the powder to form into spots over each magnet as taught by Newman to provide means for facilitating the location of the magnet for reducing the manufacturing cost.

Regarding claim 2, the modified Dewall discloses the method (see figure 1), characterized in that the powder attracted by magnetism consists of iron filings (column 4 lines 1-9).

Regarding claim 3, Dewall discloses a method of locating the center of drilling in a covering building element (10) in order to gain access to a junction box (11) behind

the covering building element (10), wherein the junction box (11) is fitted with a cover (13) having one or more magnets (12); but Dewall lacks a magnetically attracted powder being applied to the surface of the covering building element, and that the center of the spots of powder that collect over the one or more magnets, is marked as the drilling center. Newman teaches a method of locating a magnet (see figure 1) including the steps of the application of a powder which is attracted by magnetism, on the surface of the covering building element, causing the powder to form into spots over the magnet, and where the centre of the spots indicates the drilling centre center (see column 4 lines 1-9). It would have been obvious to one of ordinary skills in the art at the time the invention was made to provide to Dewall's a locating step including the application of a powder which is attracted by magnetism, on the surface of the covering building element, causing the powder to form into spots over each magnet as taught by Newman to provide means for facilitating the location of the magnet for reducing the manufacturing cost.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wun (US 6,229,294); Smolik (US 4,384,396) and Holsinger (US 3,059,803) disclose a method of installing a junction box.

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5. Any inquiry concerning this communication should be directed to Angel R. Estrada at telephone number (571) 272-1973. The Examiner can normally be reached on Monday-Friday (8:30 -5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) OR 571-272-1000.

December 3, 2007



Angel R. Estrada  
Primary Examiner  
Art Unit: 2831